

REMARKS

No claims have been amended or cancelled. Claims 1-21 remain pending as originally presented.

Rejection under 35 U.S.C. 102(e)

Claims 1-6, 10-15, 20 and 21 stand rejected under 35 U.S.C. 102(e) as being unpatentable over U.S. Patent No. 6,717,915, to Liao et al. ("Liao"). Applicants respectfully traverse the rejection.

Claim 1 is patentable over Liao, because Liao fails to anticipate at least the required operation of "determining a second back off interval for the client to delay reattempting to access the shared resource after successfully accessing the shared resource."

The disclosure in Liao col. 4, lines 59-67; col. 6, lines 1-25, lines 64-67; col. 7, lines 39-67; and col. 8, lines 1-11 relied by the Examiner, merely teaches calculating new retransmission time values to be used the next time an expected server response is not received. However, this is not the same as the required "determining of a second back off interval ... after a successful access".

Accordingly, claim 1 is patentable over Liao under 102(e).

Claims 10, 20, and 21 contain in substance the same limitations as claim 1, and thus, for at least the reasons stated above, are patentable over Liao.

Claims 2-6 and 11-15 depend on independent claims 1 and 10, incorporating their limitations respectively. Therefore, for at least the same reasons, claims 2-6 and 11-25 are patentable over Liao under 102(e).

Rejection under 35 U.S.C. 103(a)

Claims 7-9 and 16-18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Liao in view of U.S. Patent No. 6,185,184, to Mattaway.

Applicants respectfully traverse the rejections.

Mattaway does not remedy the above-discussed deficiency of Liao. Therefore, claims 1 and 10 remain patentable over Liao even when combined with Mattaway.

Claims 7-9 and 16-18 depend on claims 1 and 10, incorporating their limitations respectively. Therefore, for at least the same reasons, claims 7-9, and 16-18 are patentable over Liao, under 103(a).

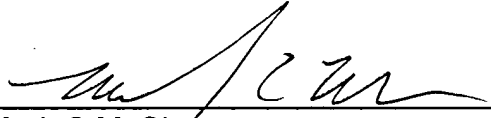
Conclusion

Claims 1-21 are believed to be in condition for allowance. Entry of the foregoing remarks is requested and a Notice of Allowance is earnestly solicited. Please contact the undersigned regarding any questions or concerns associated with the present matter.

Please charge any shortages and credit any overages to Deposit Account No. 500393.

Respectfully submitted,
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